

RICK A. YARNALL
CHAPTER 13 BANKRUPTCY TRUSTEE
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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

IN RE:

RICHARD C RAYNOHA

Debtor(s)

BK-S-22-13869-MKN
Chapter 13

Hearing Date: September 14, 2023
Hearing Time: 2:00 PM

MOTION TO DISMISS

COMES NOW Chapter 13 Bankruptcy Trustee, RICK A. YARNALL, and hereby moves this Honorable Court for an Order dismissing the above-captioned case pursuant to 11 U.S.C. § 1307. On 10/28/2022 the instant bankruptcy case was commenced and the plan was confirmed on 02/22/2023. The Trustee requests that this case be dismissed pursuant to 11 U.S.C. § 1307 for the following reasons.

Dismissal is appropriate when a debtor defaults under a confirmed plan. 11 U.S.C § 1307(c)(6).

In this case, the confirmed plan requires that the Debtor(s) make monthly payments in the amount of \$1,645.00. A review of this case shows that the Debtor(s) last successful payment was made on 5/3/2023. To date, the Debtor(s) are \$5,695.00 delinquent in plan payments. Delinquency in plan payments constitutes a material default under the confirmed plan. Therefore, the instant case should be DISMISSED.

1 Further, Debtor has failed to timely provide the Chapter 13 Trustee with complete copies of the
2 2022 IRS returns and refunds, if any. These are required pursuant to Section 2.8 of the Confirmed Plan.

3 WHEREFORE, the Trustee respectfully requests that this Honorable Court issue an Order
4 Dismissing the instant case for delinquent plan payments, and failure to timely provide copies of the
5 2022 IRS returns and refunds.

6
7 DATED: August 08, 2023

/s/ Daniel Riggs

Daniel Riggs, Esq.
Nevada Bar No.: 12270
701 Bridger Ave, Suite 820
Las Vegas, NV 89101
Attorney for RICK A. YARNALL

CERTIFICATE OF MAILING

I hereby certify that I am an employee of RICK A. YARNALL, Chapter 13 Bankruptcy Trustee;
that I am over the age of 18 years; and that on this date I provided a copy of the Trustee's Motion to
Dismiss with Notice of Hearing to each of the following by:

☒ a. ECF System:

Rick A. Yarnall ecfmail@LasVegas13.com; ecfimport@lasvegas13.com
MARK COBURN bk@halfpricelawyers.com JON L. MARTIN jonm@halfpricelawyers.com

☒ b. United States mail, postage fully prepaid:

RICHARD C RAYNOHA
708 SALT FLATS CIRCLE
HENDERSON, NV 89011

DATED: August 08, 2023

/s/ Leah Engel
Employee of
RICK A. YARNALL, CHAPTER 13 TRUSTEE